

## **REMARKS**

The Office Action mailed December 19, 2006 has been received and the Examiner's comments carefully reviewed. Claims 1, 4, 15, and 17 have been amended. Claims 21-24 have been added. No new subject matter has been added. Claim 16 has been cancelled. Claims 1-15 and 17-24 are currently pending. Applicants respectfully submit that the pending claims are in condition for allowance.

Support for new claims 21-24 is found in the specification, for example, on page 10 at lines 15-19; on page 12, paragraph 0036; and in FIG. 7 (illustrating five pin-conductors and corresponding receptacles).

### **Rejections Under 35 U.S.C. §103**

I. Claims 1-13 and 15-20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Swieconek (U.S. Patent 6,980,725) in view of Bremer et al. (U.S. Publication No. 2004/0042510 A1). Applicants respectfully traverse this rejection, but have amended claims 1, 15, and 17, and cancelled claim 16 to advance this application to allowance.

Swieconek discloses an enclosure that can be upgraded from copper to fiber. In the copper configuration, the enclosure includes copper protect blocks 111 that have a socket side which receives 5-pin protector modules (see FIG. 4A). When upgrading the enclosure to a fiber configuration, each copper protect block 111 is entirely replaced in a one-for-one manner by a fiber fan-out 121 having fiber optic adapters 120.

#### A. Independent claim 1 and dependent claims 2-3 and 5-13

Independent claim 1 has been amended to clarify that the claimed system includes a protector field, an adapter, and a protector module that is connected to the adapter. In use, a pair gain signal transmitted through the protector field is rerouted by the adapter to a cross-connect field and then back to the protector field through the protector module.

The Examiner states that Swieconek discloses an adapter 120 that is configured to interface with a protector field (i.e., a protect block 111). The specification of Swieconek discloses that the protect block 111 receives 5-pin protector modules. Column 4, lines 63-66. When upgrading from copper to fiber, the protect block 111 and associated 5-pin protector modules are replaced with a

fiber fan-out 121 having adapters 120. The adapters 120 of Swieconeck do not connect to the 5-pin protector modules, as required by claim 1.

In addition, a signal of Swieconeck is not rerouted by the adapter 120 to a cross-connect block and then back to the protect block 111 through a 5-pin protector module, as recited in claim 1. In fact, the protect block 111 and 5-pin protector modules are removed and completely replaced by the fan-out 121 and adapters 120. There is no re-routing of signals from an adapter 120 back to a 5-pin protector module and protect block 111.

Bremer is utilized for the disclosure of a cross-connect block; accordingly, Bremer does not make up for the above deficiencies of Swieconeck.

At least for these reasons, Applicants respectfully submit that independent claim 1, its associated dependent claims are patentable.

B. Dependent claim 3, 5, and 7-13

With regards to claim 3, Swieconeck makes it clear that the fan-out and adapters 121, 120 are a replacement of the protect block 111 and protector modules. It is not clear how components that replace one another can be characterized as "subcomponents" of one another. Clearly the adapters 120 of Swieconeck are not subcomponents of the 5-pin protector modules, as required by claim 3. Applicants respectfully submit that for this additional reason, dependent claim 3 is patentable.

With regards to claim 5, Swieconeck discloses that the adapters 120 of the fan-out 121 are configured to receive fiber connectors, such as SC connectors or LC connectors. No where does Swieconeck teach or suggest that the adapter 120 receives a projecting conductor of a protector module, as required by claim 5. Further, no where does Swieconeck teach or suggest that the protect block 111 receives a projecting conductor from the adapter 120, as further required by claim 5. In contrast, the adapters 120 mount only to the replacement fan-out 121, not the protect block 111. Applicants respectfully submit that for this additional reason, dependent claim 5 is patentable.

With regards to claims 7-13, the Examiner states that Bremer discloses first and second two-way routes for communication of a pair gain signal from a pair gain system through a cross block and through a splitter, respectively; and further that Bremer discloses a disruptor that selectively activates one of the first and second routes. The Examiner points generally to paragraph 22 of Bremer as basis for rejecting the limitation concerning a disruptor. Paragraph 22, however, simply discusses possible causes of impedance mismatch problems in transmission lines. It is submitted

that no where does Bremer disclose a disruptor that selectively activates one of two routes between a pair gain system and either a cross block or a splitter. Further details of the basis for this rejection are requested.

C. Independent claim 4

Claim 4 has been re-written in independent form. Claim 4 recites that the system for delivering DSL service includes an adapter configured to directly interface with a protector field, while a protector module indirectly interfaces with the protector field through the adapter.

The protect block 111 of Swieconek receives 5-pin protector modules. When upgrading from copper to fiber, the protect block 111 and associated 5-pin protector modules are replaced with a fiber fan-out 121 having adapters 120. The adapters 120 of the fan-out 121 do not "directly interface" with the protect block 111, as required by claim 4. Rather, the protect block 111 is removed and replaced by the fan-out and adapters 120. Further, no where does Swieconek teach or suggest that the 5-pin protector modules indirectly interface with the protect block 11 through an adapter 120.

In addition, for similar reasons as discussed with regards to claim 1, a signal of Swieconek is not rerouted by the adapter 120 to a cross-connect block and then back to the protect block 111. In fact, the protect block 111 and 5-pin protector modules are removed and completely replaced by the fan-out 121 and adapters 120.

Bremer is utilized for the disclosure of a cross-connect block; accordingly, Bremer does not make up for the above deficiencies of Swieconek.

At least for these reasons, Applicants respectfully submit that independent claim 4 is patentable.

D. Independent claim 15 and dependent claims 17-20

Claim 15 has been amended to incorporate the limitations of dependent claim 16. The method of claim 15 now includes the steps of connecting an adapter to a protector field and connecting a protector module to the adapter. The method further includes routing all signal output by the cross connect block to the protector field through the protector module.

At least for similar reasons as discussed above with regards to claims 1, Applicants respectfully submit that independent claim 15 and dependent claims 17-20 are patentable.

II. Claim 14 is rejected under 35 U.S.C. §103(a) as being unpatentable over Swieconeck (U.S. Patent 6,980,725) in view of Bremer et al. (U.S. Publication No. 2004/0042510 A1) and further in view of Kozel et al. (U.S. Patent 5,551,889). Applicants respectfully traverse this rejection.

Claim 14 depends upon claim 1. In view of the remarks regarding independent claim 1, further discussion regarding the independent patentability of dependent claim 14 is believed to be unnecessary. Applicants submit that dependent claim 14 is in condition for allowance.

#### **New Claims 21-24**

New claims 21-22 depend upon claim 1 and new claims 23-24 depend upon claim 15. New claims 21-24 further recite particular interconnections between the adapter, the protector module, and the protector field. It is respectfully submitted that none of the cited art discloses the interconnection of components recited in claims 21-24; and that claims 21-24 are therefore patentable.

#### **SUMMARY**

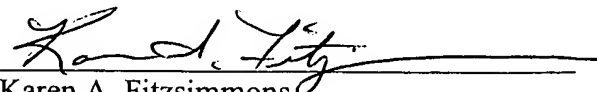
It is respectfully submitted that each of the presently pending claims (claims 1-15 and 17-24) is in condition for allowance and notification to that effect is requested. The Examiner is invited to contact Applicants' representative at the below-listed telephone number if it is believed that prosecution of this application may be assisted thereby.

Although certain arguments regarding patentability are set forth herein, there may be other arguments and reasons why the claimed invention is patentably distinct. Applicants reserve the right to raise these arguments in the future.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Date: Mar 19, 2007

  
Karen A. Fitzsimmons  
Reg. No. 50,470  
KAF:cjc



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: KENNEDY ET AL.

Examiner: T. KNOWLIN

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Due Date: MARCH 19, 2007

Title: SYSTEM AND METHOD OF PROVIDING DSL SERVICES ON A TELEPHONE NETWORK

**CERTIFICATE UNDER 37 CFR 1.8:**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on March 19, 2007.

By: 

Name: Kristine A. Wacek

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**23552**

PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

☒ Transmittal Sheet in duplicate containing Certificate of Mailing☒ Amendment and Response

The fee has been calculated as shown below in the "Claims as Amended" table

☒ Check(s) in the amount of \$150.00 for Extra Claims Fee☒ Return postcard

## CLAIMS AS AMENDED

Claims Remaining After Amendment		Highest Number Previously Paid For		Present Extra		Rate		Fee
Total Claims								
23	-	20	=	3	x	50.00	=	\$150.00
Independent Claims								
3	-	3	=	0	x	200.00	=	\$0.00
MULTIPLE DEPENDENT CLAIM FEE								\$0.00
TOTAL FILING FEE								\$150.00

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Merchant & Gould P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
612.332.5300

By: 

Name: Karen A. Fitzsimmons

Reg. No.: 50,470

KFitzsimmons:PLSkaw